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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,509	03/28/2001	Xiaofei Huang	005306.P007	5084
7590	06/17/2005		EXAMINER	
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1026			VAUGHN JR, WILLIAM C	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/820,509	HUANG ET AL.	
	Examiner	Art Unit	
	William C. Vaughn, Jr.	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 08 February 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>4/6/05</u> . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This Action is in regards to the Amendment and Reply received on 08 February 2005.

Response to Arguments

2. Applicant's arguments and amendments filed on 08 February 2005 have been carefully considered but they are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new grounds of rejection as explained here below, necessitated by Applicant's substantial amendment (*i.e., a method to synchronize... record extraction sequence identification (ID) from the server... providing the record extraction sequence ID to the computing... stored on the computing device*) to the claims which significantly affected the scope thereof.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-30** are rejected under 35 U.S.C. 102(e) as being anticipated by Huang et al.

(Huang), U.S. Patent No. 6,477,543.

5. Regarding independent claims 1 and 6, (exemplary independent claim 1), Huang discloses a method to synchronizing a computing device and a server, comprising retrieving a record extraction sequence identification (ID) from the server, providing the record extraction

sequence ID to the computing device [see Huang, Col. 8, lines 10-45 and Col. 13, lines 32-65]; and extracting from a database records that have been changed since a prior synchronization if the record extraction sequence ID matches a previously obtained record extraction sequence ID, wherein the extracted records are not already stored on the computing device [see Huang, Col. 13, lines 40-60].

6. Regarding dependent claims 2-5 and 7-10, the limitations of these claims are taught within the figures of Huang.

7. Claims 11-20 list all the same elements of claims 1-10, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claims 1-10 applies equally as well to claims 11-20.

8. Claims 21-30 all the same elements of claims 1-10, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claims 1-10 applies equally as well to claims 21-30.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wharton et al. (Wharton), U.S. Patent No. 5,831,664 in view of Hawkins et al. (Hawkins), U.S. Patent No. 6,000,000.

Art Unit: 2143

11. Regarding independent claims 1 and 6, (exemplary independent claim 1), Wharton discloses the invention substantially as claimed. Wharton discloses a method to synchronize a computing device and a server, comprising extracting from a database records that have been changed since a prior synchronization [see Wharton, Col. 1, lines 60-67, Col. 2, lines 1-54, col. 6, lines 19-49]. However, Wharton does not explicitly disclose retrieving a record extraction sequence identification fro the server; providing the record extraction sequence ID to the computing device and if the recode extraction sequence ID matches a previously obtained recorded extraction sequence ID, wherein the extracted records are not already stored on the computing device.

12. In the same field of endeavor, Hawkins discloses (e.g., transferring and synchronizing multiple files between a handheld computer and a personal computer). Hawkins disclose retrieving a record extraction sequence identification fro the server; providing the record extraction sequence ID to the computing device and if the recode extraction sequence ID matches a previously obtained recorded extraction sequence ID, wherein the extracted records are not already stored on the computing device [see Hawkins, Col. 2, lines 56-67, Col. 3, lines 1-26, Col. 4, lines 26-54, Col. 5, lines 14-67, Col. 6, lines 7-55].

13. Accordingly, it would have obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Hawkins' teachings of transferring and synchronizing multiple files between a handheld computer and a personal computer with the teachings of Wharton, for the purpose of allowing for synchronization between the handheld system and the personal computer system to communicate directly [see Hawkins, Col. 2, lines 40-54]. Thus, Wharton provides motivation to combine by stating there exist a need for an

interactive system that allows for a wide range of interfaces to be presented to the user [see Wharton, Col. 1, lines 55-59]. By this rationale claims 1 and 6 are rejected.

14. Regarding dependent claims 2-5 and 7-10, the limitations of these claims are taught within the figures of Wharton-Hawkins.

15. Claims 11-20 list all the same elements of claims 1-10, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claims 1-10 applies equally as well to claims 11-20.

16. Claims 21-30 all the same elements of claims 1-10, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claims 1-10 applies equally as well to claims 21-30.

Double Patenting

17. The Examiner acknowledges receipt of the Terminal Disclaimer filed on 08 February 2005.

Response to Arguments

18. Applicant's arguments again include the failure of previously applied art to expressly disclose retrieving a record extraction sequence from the server. See Response received on 08 February 2005, page 14. It is evident from the detailed mappings found in the above rejection(s) that Wharton and Hawkins, disclose this functionality. Hawkins, further teaches sequentially locate the next altered record utilizing an exact record lookup via SyncReadRecordByID [see Hawkins, Col. 11, lines 40-64].

Conclusion

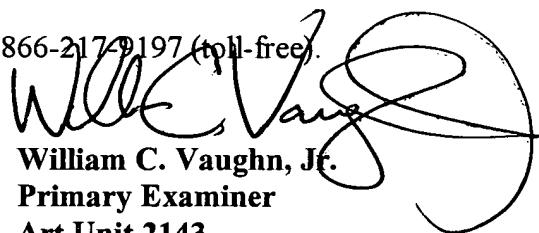
19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William C. Vaughn, Jr.
Primary Examiner
Art Unit 2143
12 June 2005

WCV